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#3
Docket N .: PAT034US

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

The residence, post office address, and citizenship are as stated below next to my name;
and

I verily believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **VCSEL WITH ION-IMPLANTED CURRENT-CONFINEMENT STRUCTURE**, the specification of which was filed on November 13, 2001 as U.S. Patent Application No. 09/993,239.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim, as amended by any Amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Country	Number	Date Filed	Priority Claimed (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)

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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**Application
Serial No.**

Filed

**Patented or
Pending**

I hereby appoint **N. Stephan Kinsella**, Registration No. 37,657 of **APPLIED OPTOELECTRONICS, INC.**, 13111 Jess Pirtle Blvd., Sugar Land, Texas 77478, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and

Address all correspondence and telephone calls to:

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PATENT

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